

REMARKS

Claims 18-34 are pending in the application. Claim 32 is being canceled. Claim 18 is being amended to include the subject matter of Claim 32. Claims 18-31 and 33 are being amended to address claim objections.

Regarding the objection to "keyed" in claim 30, the specification at paragraph [0045] clearly describes how the membrane is connected to the lower section of the connection part in a keyed manner.

Claims 18-34 were rejected under 35 USC 103(a) as being unpatentable over DE10030474 to Rahimy in view of US5100394 to Dudar, et al. The rejection is respectfully traversed.

Rahimy discloses a connector with a connection part 2 with a channel-shaped recess 8 in which a self-ceiling membrane 4 is arranged. The connector further comprises a break-off part 6 that is connected to the connection part 2 and closes the recess 8. However, Applicants do not agree with the Examiner that the connection part 2, in particular, the portion of the connection part above the membrane, has an *internal cone* for receiving the conical shaft of a syringe.

Fig. 1 of Rahimy shows the *connector* consisting of the *connection part 2* and the *break-off part 6*. It should be noted that the upper portion of the connection part 2 is the portion in which the membrane is inserted. The connection part does not comprise a portion above the upper portion including the membrane.

The *connector* in Rahimy comprises a portion above the membrane. However, this portion is a portion of the break-off part rather than a portion of the connection part.

A problem addressed by the invention is to provide a connector for medical liquid-containing packages, in particular, infusion and transfusion bags, which is able to be produced cost-effectively and handled in a straightforward and safe manner and permits a rapid supply of, in particular, viscous active substances, and with which the risk of injury to the nursing staff and damage to the package is low.

It should be noted that a principle aspect of Applicants' invention is to arrange and design the internal cone 14 of the connection piece 13 and the self-sealing membrane 8 of connection part 1 in such a way that the conical shaft 31 of a syringe 32 inserted into the internal cone opens the slit membrane 8, but does not penetrate it.

In the embodiment shown in Figs. 6a and 6b of the patent application, the conical shaft 31 of the syringe 32 inserted into the internal cone 14 of the connection piece 13 opens the slit membrane 8, but does not penetrate it. Since the slit membrane 8 is not penetrated by the shaft of the syringe, the membrane closes in a sealing fashion when pulling out the shaft of the syringe. After withdrawal of the shaft, the membrane completely closes and thus prevents liquid from leaking out of the package. The internal cone insures that the conical shaft of the syringe is sealed against the connection part.

Rahimy and Dudar, et al. do not teach, or even suggest, designing and arranging the connection part such that the shaft of a syringe inserted into the connection part opens the membrane, but does not penetrate it. In contrast to the invention, the connector of Dudar is designed and arranged such that the spike extends through the membrane (see Figs. 34 to 36).

In summary, none of the cited documents teach, or even suggest, the arrangement of the membrane in the connection piece of the connection part according to the invention. Reconsideration of the rejection under 35 USC 103 is respectfully requested.


Claims 18-34 were provisionally rejected on the ground of non-statutory double patenting relative to co-pending application 10/514,817. Applicants defer addressing the rejection until allowable subject matter is determined by the Examiner.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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